

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Huajie Chen (et al.)	Examiner:	Laura Mary Menz
Serial No.:	10/597,066	Group Art Unit:	2813
Filed:	July 10, 2006	Attorney Docket No:	FIS920030342US1
Title:	METHOD OF FORMING THIN SGOI WAFERS WITH HIGH RELAXATION AND LOW STACKING FAULT DEFECT DENSITY		
Confirmation:	5456		

**REQUEST FOR RECONSIDERATION FOR
PATENT TERM ADJUSTMENT**

Mail Stop Petition Under 37 CFR 1.705
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This petition for Request for Reconsideration for Patent Term Adjustment is filed after receiving a “Notice of Allowance and Fee(s) Due”, but before the payment of issue fee, and is filed under 37 C.F.R. 1.705.

On September 16, 2008, the United States Patent and Trademark Office issued a “Notice of Allowance and Fee(s) Due”, together with a “Determination of Patent Term Extension under 35 U.S.C. 154(b)” in connection with the above identified United States patent application.

A careful review by Applicants confirms that the present application was filed July 10, 2006 and claims priority of a PCT application filed January 16, 2004. Therefore, it is respectfully submitted that the “Determination of Patent Term Extension under 35

U.S.C. 154 (b)”, which applies only to application filed after June 7, 1005 but prior to May 29, 2000, does NOT apply to the present application.

Applicants respectfully request that correct patent term adjustment being applied to the present application. Applicants take notice that the present applications entered the National Phase on July 10, 2006, and the first Office Action on the merit was not issued until June 12, 2008. Therefore, a patent term adjustment of 276 days shall be applied.

Applicants respectfully submit that no terminal disclaimers were filed in relation to the present application, and there were no circumstances that may constitute a failure, on the Applicants part, to engage in reasonable efforts to conclude processing and examination of present application as set forth in §1.704.

Applicants are submitting, separately, a petition fee of \$200.00 under § 1.18(c), as being required under §1.705(b). However, should such petition fee be refundable because this is caused by an error on the part of the Patent Office, such refund shall be credit to the deposit account No. 09-0458.

Respectfully submitted,

/Yuanmin Cai/

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